

Claim 25, line 17, change "selectred" to "--selected--".

REMARKS

Claims 22, 23, and 24, have been amended from the parent application in several respects. The first, which was not necessitated by the examiner's rejection, is to make them independent so that claims 2-7, 9-14, and 16-21 may depend respectively therefrom. The second is to clarify the language of the dielectric layers to distinguish from dielectric materials in some recitations and dielectric layers in others. The third is to clarify the identity of the third layer which is only partially removed, to leave remaining a portion of SOG over an interlevel dielectric of the second layer. The claims originally presented erroneously referred to the removal only of the second layer without reference to the removal of the third, and in which a portion of the third dielectric layer remained after global etchback. The fourth change made to the claims, also not necessitated by the examiner's rejection is to claim the steps of the method as "acts", in accordance with the language permitted by the sixth paragraph of 35 U.S.C. §112.

Claim groups 2-7, 9-14, and 16-21 have been amended to depend respectively from now independent claims 22, 23, and 24.

Claim 25 has been amended to correct a typographical error on line 17.

THE PRIOR 35 U.S.C. §103 REJECTION

Claims 2-7, 9-14, and 16-25, had been rejected in the parent application under 35 U.S.C. §103(a) as being obvious from Elkins (4,676,867).

In the parent application, the examiner apparently misunderstood the arguments made in distinguishing the structure that results from the process advanced in the Amendment filed September 15, 1997. Apparently, the examiner was of the opinion that the arguments were directed toward the novelty of the

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process, rather than the novelty of the resulting structure. However, it appears that no consideration had been given to the distinctions between the resulting structure and the structure of Elkins that were advanced in the September 15, 1997, Amendment. Specifically, and with respect to the claims themselves, the resulting structure includes a first dielectric formed of SOG, a second dielectric over the SOG, a third dielectric layer formed of SOG over the first and second dielectric layers, forming a dielectric stack that contains at least portions of all three dielectric layers after planarization. This is in clear distinction to the structure of Elkins, et al., which includes only a single SOG layer 24.

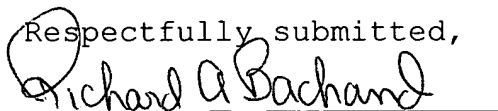
The invention is not obvious in view of the Elkins, et al. reference since there is no hint or suggestion of a dielectric stack that includes top and bottom SOG materials with an interlevel dielectric therebetween. The advantages of such a structure having a lower SOG dielectric layer are outlined in the application and in the previously filed Amendment of September 15, 1997. The top layer of SOG also results in the advantage of enabling better planarization to be effected, lowering the risk of cracking.

Thus, it is respectfully submitted that the claimed invention is not obvious from the Elkins, et al. reference. Rejection should be withdrawn and the claims should be allowed.

#### CONCLUSION

As above pointed out, claims 2-7, 9-14, and 16-25, are patentable over Elkins. It is therefore respectfully requested that all of said claims be allowed and the case be advanced to issue.

Respectfully submitted,



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